



*C. Lawrence*  
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5/2/03  
PATENT  
Customer No. 22,852  
Attorney Docket No. 03863.0053-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Tomoya Sato ) Group Art Unit: 1743  
)  
Application No.: 09/986,613 ) Examiner: M. Wallenhorst  
)  
Filed: November 9, 2001 )  
)  
For: DISEASE TYPE AND/OR )  
CONDITION DETERMINATION )  
METHOD AND APPARATUS AND )  
DRUG SCREENING METHOD )  
AND APPARATUS )

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MAY 05 2003  
GROUP 1700

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Each document listed in this Information Disclosure Statement was first cited in a communication from the European Patent Office, mailed on February 21, 2003, in a counterpart foreign application. This Information Disclosure Statement is being filed within three months of the mailing date of that communication.

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Copies of the listed documents are attached. Applicant also encloses a copy of the European Search Report, mailed February 21, 2003, from the corresponding European application. Applicant respectfully requests that the Examiner consider the documents listed on the Form PTO-1449, and indicate that they were considered by making appropriate notations on the attached form.

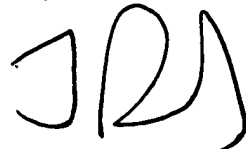
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



By: \_\_\_\_\_

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Dated: May 1, 2003

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